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OFFICE OF PETITIONS

In re Application of
SLOAN, Ronald et al.
Application No. 09/929,735
Filed: August 13, 2001
Attorney Docket No. 60021.375702

: DECISION DISMISSING PETITION
: UNDER 37 CFR 1.313(a)

This is a decision on the petition under 37 CFR 1.313(a), filed March 13, 2007, requesting withdrawal of the above-identified application from issue.

The petition is **dismissed** as moot for the reasons stated below.

A review of the file record discloses that a Notice of Allowance and Fee(s) Due was mailed on February 15, 2007, with the issue fee being due on or before May 15, 2007. The petition states that the issue fee in this case has not been paid.

The filing of a petition under 37 CFR 1.313(a) is unnecessary, since the mere filing of an RCE and submission will effectively withdraw an application from issue prior to payment of the issue fee. In view thereof, the petition to withdraw from issue is dismissed as involving a moot issue. *Note MPEP §§ 706.07(h)(IX) and 1308.*

Inquiries concerning this decision may be directed to Monica Graves at (571) 272-7253.

The matter is being referred to Technology Center AU 3625 for appropriate processing of the RCE filed March 13, 2007, and for consideration of the concurrently filed information disclosure statement.

Frances Hicks

Frances Hicks
Petitions Examiner
Office of Petitions